

AO 245B (Rev. 9/00) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

SON HONG JOHNSON

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 08CR1867-JAH

Lisa K. Baughman, CJA

Defendant's Attorney

REGISTRATION NO. 03867298

☒ Modification of Sentence (Fed. R. Crim. P. 35(b)(2)); Previously Imposed Sentence is Hereby Set Aside and Vacated

THE DEFENDANT:

☒ pleaded guilty to count(s) One of the twelve-count indictment.

☐ was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Steal Money From a Gaming Establishment Operated by and for an Indian Tribe.	1

The defendant is sentenced as provided in pages 2 through 14 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) remaining

is ☐ are ☒ dismissed on the motion of the United States.

☒ Assessment: \$100.00.

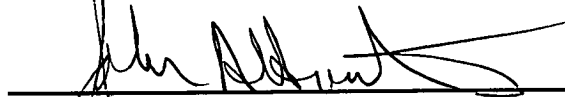
☒ No fine

☐ Property forfeited pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

February 14, 2011

Date of Imposition of Sentence


HON. JOHN A. HOUSTON
UNITED STATES DISTRICT JUDGE

08CR1867-JAH

DEFENDANT: SON HONG JOHNSON

CASE NUMBER: 08CR1867-JAH

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWENTY-FOUR MONTHS concurrent to sentence imposed in case 07CR1312-JAH

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.
☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

- ☒ before 11/30/09 @ 2:00 pm or to the US Marshal if not designated.
☒ as notified by the United States Marshal.
☒ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

DEPUTY UNITED STATES MARSHAL

08CR1867-JAH

DEFENDANT: SON HONG JOHNSON

CASE NUMBER: 08CR1867-JAH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
THREE (3) YEARS.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

For offenses committed on or after September 13, 1994:

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer pursuant to 18 USC 3583(d).
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant must comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

08CR1867-JAH

DEFENDANT: SON HONG JOHNSON
CASE NUMBER: 08CR1867-JAH**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Submit person, residence, office or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer with 24 hours of any reentry to the United States; supervision waived upon deportation, exclusion or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☒ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☒ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☒ Not enter any gambling establishment and not engage in any form of gambling including lottery, on-line gambling, or casino gambling.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☒ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☒ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within _____ days.
- ☐ Complete _____ hours of community service in a program approved by the probation officer within _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the probation officer for a period of _____
- ☐ Reside in a Residential Reentry Center (RRC) as directed by the Bureau of Prisons for a period of _____ commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of _____, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ Comply with the conditions of the Home Confinement Program for a period of _____ months and remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
- ☐ Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.

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AO 245S Judgment in Criminal Case
Sheet 5 — Criminal Monetary Penalties

Judgment — Page 5 of 14

DEFENDANT: SON HONG JOHNSON
CASE NUMBER: 08CR1867-JAH

RESTITUTION

The defendant shall pay restitution in the amount of \$5,750,451 unto the United States of America.

This sum shall be paid ☒ immediately.
☒ as follows:

Pay restitution in the amount of \$5,750,451, jointly and severally, through the Clerk, U.S. District Court, to the following victims in the amounts specified, payable forthwith or through the Inmate Financial Responsibility Program at a rate of \$25.00 per quarter during the period of incarceration, with the payment of any remaining balance to be made following the defendant's release from prison at the rate of \$300.00 per month. Distribution of restitution to the victims is to be on a pro rata basis. Restitution ordered in this case as to the victims named in the attachment is ordered to be concurrent with the restitution ordered in Case No. 07-CR-1312-JAH.

(see attachment)

The Court has determined that the defendant does not have the ability to pay interest. It is ordered that:

☒ The interest requirement is waived.

 The interest is modified as follows:

08CR1867-JAH

RESTITUTION CHART FOR SON HONG JOHNSON
CASE NOS. 07-CR-1312-JAH; 08-CR-01867-JAH

The government requests that Court order defendant SON HONG JOHNSON to pay total restitution concurrently in Case Nos. 07-CR-1312-JAH and 08-CR-01867 of \$5,750,451 to the following victims; in the amounts specified, joint and several as specified:¹

Cache Creek Indian Bingo and Casino

\$297,173 to Cache Creek Indian Bingo and Casino, P.O. Box 65, Brooks, CA 95606, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$297,173	07-CR-1312-JAH 08-CR-0746-JAH	
George Michael Lee	\$117,488	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Han Truong Nguyen	\$297,173	07-CR-1312-JAH	DE 366

Emerald Queen Casino

\$251,634 to Emerald Queen Casino, 2024 East 29th Street,
Tacoma, Washington 98404, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$251,634	07-CR-1312-JAH 08-CR-0746-JAH	
Martin Lee Aronson	\$251,634	07-CR-1312-JAH	
Hogan Ho	\$ 29,000	08-CR-3040-JLS	DE 310
Outtama Keovongsa	\$ 8,500	08-CR-3040-JLS	DE 295
Leap Kong	\$ 20,700	08-CR-3040-JLS	DE 263
Darrell Saicocie	\$ 26,900	08-CR-3040-JLS	DE 307
Phally Ly	\$ 8,750	08-CR-3143-DMS	DE 28
Sisouvanh Mounlasy	\$ 28,000	08-CR-2519-JM	DE 46
Navin Nith	\$ 29,350	08-CR-2958-WQH	DE 30
Roderick Vang Thor	\$ 27,500	08-CR-2643-JAH	DE 23
PHEAP NORNG	\$251,634	06-CR-5136-RBL WDWA	DE 95
THONGSOK SOVAN	\$251,634	06-CR-5136-RBL WDWA	DE 91

Isle of Capri, Westlake

\$813,603 to Isle of Capri, 100 Westlake Avenue, Westlake, LA 70669, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$813,603	07-CR-1312-JAH 08-CR-0746-JAH	
Martin Lee Aronson	\$813,603	07-CR-1312-JAH	
George Michael Lee	\$813,603	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$101,160	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Tuan Mong Le	\$ 81,160	07-CR-1312-JAH	DE 440
Hogan Ho	\$108,510	08-CR-3040-JLS	DE 310
Thang Viet Huynh	\$114,775	08-CR-3040-JLS	
Hop Nguyen	\$ 64,488	09-CR-0228-WQH	DE 27

Isle of Capri, Bossier City

\$255,550 to Isle of Capri, 711 Isle of Capri Blvd., Bossier City, LA 71111, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$255,550	07-CR-1312-JAH 08-CR-0746-JAH	
Martin Lee Aronson	\$255,550	07-CR-1312-JAH	
George Michael Lee	\$255,550	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$ 19,625	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Tuan Mong Le	\$203,375	07-CR-1312-JAH	DE 440
Qua Le	\$ 40,700	08-CR-3040-JLS	DE 273
Hop Nguyen	\$ 47,750	09-CR-0228-WQH	DE 27

Monte Carlo Resort and Casino

\$24,225 to Monte Carlo Resort and Casino, 2770 Las Vegas Blvd. South, Las Vegas, NV 89109, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$ 24,225	07-CR-1312-JAH 08-CR-0746-JAH	
Martin Lee Aronson	\$ 24,225	07-CR-1312-JAH	
George Michael Lee	\$ 24,225	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Thang Viet Huynh	\$ 24,225	08-CR-3040-JLS	

Beau Rivage Casino

\$304,536 to Beau Rivage Casino, 875 Beach Blvd., Biloxi, MS 39530, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$304,536	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$ 66,000	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$304,536	07-CR-1312-JAH	
George Michael Lee	\$304,536	07-CR-1312-JAH 07-CR-3241-JAH 07-CR-3255-JAH	DE 651 DE 15 DE 14
Tien Duc Vu	\$ 66,000	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Willy Tran	\$ 56,100	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$304,536	07-CR-1312-JAH	DE 440
Thang Viet Huynh	\$ 44,870	08-CR-3040-JLS	
Hop Nguyen	\$ 21,000	09-CR-0228-WQH	DE 27

Mohegan Sun Casino

\$540,125 to Mohegan Sun Casino, 1 Mohegan Sun Blvd.,
Uncasville, CT 06382, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$540,125	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$540,125	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$540,125	07-CR-1312-JAH	
Liem Thanh Lam	\$104,425	07-CR-1312-JAH	DE 439
Tien Duc Vu	\$379,225	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Willy Tran	\$514,400	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$540,125	07-CR-1312-JAH	DE 440
Duc Cong Nguyen	\$422,600	07-CR-1312-JAH	DE 624
Han Truong Nguyen	\$515,500	07-CR-1312-JAH	DE 366

Foxwoods Resort Casino

\$945,530 to Foxwoods Resort Casino, 39 Norwich-Westerly Road,
Ledyard, CT 06339, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$945,530	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$945,530	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$540,125	07-CR-1312-JAH	
Tien Duc Vu	\$906,005	07-CR-1312-JAH 08-CR-2069-JAH	DE 660 DE 17
Barry Wellford	\$945,530	07-CR-1312-JAH	
Willy Tran	\$945,530	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$945,530	07-CR-1312-JAH	DE 440
Duc Cong Nguyen	\$522,455	07-CR-1312-JAH	DE 624

Resorts East Chicago Casino

\$1,052,475² to Resorts East Chicago Casino, East Chicago, IN, c/o Nicolas R. Amato, Resorts International Holdings, Atlantic City Hilton Hotel and Casino, Boston and Boardwalk, Atlantic City, NJ 08401, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$1,052,475	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$1,052,475	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$1,052,475	07-CR-1312-JAH	
Willy Tran	\$1,052,475	07-CR-1312-JAH	DE 475
Thang Viet Huynh	\$ 77,854	08-CR-3040-JLS	

² The government's spreadsheet of restitution amounts due to victim casinos, calculates the loss to Resorts East at \$1,563,775. Resorts East was reimbursed \$511,300 by Federal Insurance. $\$1,563,775 - \$511,300 = \$1,052,475$, the figure used. Resorts East Casino claimed a loss of \$1,603,367, which is \$39,592 more than the government's figure. Since Federal Insurance paid Resorts East for approximately 33% of the loss, restitution is split 67% to Resorts East and 33% to Federal Insurance. Thang Viet Huynh cashed out \$116,200 at Resorts East. $\$116,200 \times 67\% = \$77,854$ in restitution to the casino and \$38,346 to Federal Insurance. Although a CTR-C shows Han Truong Nguyen was at Resorts East, the casino is not listed as a victim for Restitution in his Judgment (DE 366), however Federal Insurance is listed for \$808,300.

Federal Insurance Co.

\$511,300 to Federal Insurance Co., Mark Ross Esq., 600 Jefferson Street, Ste. 512, Lafayette, LA 70501, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$511,300	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$511,300	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$511,300	07-CR-1312-JAH	
Willy Tran	\$511,300	07-CR-1312-JAH	DE 475
Han Truong Nguyen	\$511,300	07-CR-1312-JAH	DE 366
Thang Viet Huynh	\$ 77,854	08-CR-3040-JLS	

Majestic Star Casino

\$273,075 to Majestic Star Casino, 1 Buffington Harbor Drive, Gary, Indiana 46406, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$273,075	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$273,075	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$273,075	07-CR-1312-JAH	
Willy Tran	\$192,775	07-CR-1312-JAH	DE 475

Horseshoe Casino

\$429,825 to Horseshoe Casino,³ Attn: John Taylor, 1021 Casino Center Drive, Robinsonville, MS 38664, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$429,825	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$429,825	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$429,825	07-CR-1312-JAH	
Liem Thanh Lam	\$ 99,000	07-CR-1312-JAH	DE 439
Barry Wellford	\$268,625	07-CR-1312-JAH	
Willy Tran	\$429,835	07-CR-1312-JAH	DE 475
Tuan Mong Le	\$239,800	07-CR-1312-JAH	DE 440
Han Truong Nguyen	\$ 99,000	07-CR-1312-JAH	DE 366
Renee Cuc Quang	\$ 80,000	08-CR-3041-JAH	DE 21

Gold Strike Casino and Resort

\$51,400 to Gold Strike Casino and Resort, 1010 Casino Center Drive, Robinsonville, MS 38664, joint and several with:

<u>Defendant</u>	<u>Amount</u>	<u>Case No.</u>	<u>Judgment</u>
Phuong Quoc Truong	\$ 51,400	07-CR-1312-JAH 08-CR-0746-JAH	
Phat Ngoc Tran	\$ 51,400	07-CR-1312-JAH	DE 659
Martin Lee Aronson	\$ 51,400	07-CR-1312-JAH	
Liem Thanh Lam	\$ 51,400	07-CR-1312-JAH	DE 439
Barry Wellford	\$ 51,400	07-CR-1312-JAH	
Willy Tran	\$ 51,400	07-CR-1312-JAH	DE 475
Renee Cuc Quang	\$ 51,400	08-CR-3041-JAH	DE 21

³ Combines both Horseshoe Casinos in Bossier City and Tunica.